

Message Text

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MILITARY ADEES HANDLE AS SPECAT EXCLUSIVE

E.O. 11652: GDS

TAGS: PFOR, MARR, MASS, TU

SUBJECT: TURKISH BASE NEGOTIATIONS: DRAFT ARTICLES ON ASSISTANCE
AND DURATION/TERMINATION

REF STATE 24480, DTG 310248Z JAN 76

1. I APPRECIATED BACKGROUND INFORMATION SUPPLIED REFTEL WHICH MAKES DEPARTMENT'S NEEDS AND REASONING CLEAR. BECAUSE OF LAST MINUTE CONFLICT IN CONNECTION WITH FRG MINDEFENSE LEBER'S VISIT, MFA SECGEN ELEKDAG HAS POSTPONED TODAY'S NEGOTIATION SESSION TO TOMORROW AFTERNOON (FEBRUARY 3). IT WOULD BE MOST HELPFUL FOR ME TO HAVE FOR THIS MEETING DEPARTMENT'S IDEAS ON ALTERNATIVE LANGUAGE FOR ASSISTANCE ARTICLE IN PARTICULAR WHICH WILL MEET PURPOSES OUTLINED REFTEL.

2. RE FIRST PARA, I WILL, OF COURSE, TRY TO GET LANGUAGE THAT WASHINGTON ORIGINALLY PROPOSED. FAILING THIS, HOWEVER, HAVE WE ANY OTHER FORMULA OF WORDS WHICH WOULD BE SATISFACTORY? FOR EXAMPLE, WOULD THE PHRASE "SUBJECT TO THE LEGAL REQUIREMENTS OF BOTH PARTIES" OR SOME OTHER EXPRESSION ALONG THIS LINE GET THE JOB DONE?

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3. WE ALSO APPRECIATE AND UNDERSTAND DEPARTMENT'S EXPLANATION OF

COMPLEXITIES AND DIFFICULTIES INHERENT IN TURK'S DESIRE TO INCLUDE ASSURANCE THAT "TERMS AND CONDITIONS OF CREDITS...BE MORE FAVORABLE THAN THOSE PREVAILING IN THE US'S FINANCIAL MARKET." WITH YOUR HELPFUL BACKGROUND WE CAN EXPLAIN THIS TO THE TURKS. HOWEVER, IN EFFECT WHAT OUR EXPLANATION WILL BE IS THAT THE NORMAL PROCESSES WHICH CONTROL OUR LOAN GUARANTEES AND FMS CREDITS WILL GENERALLY RESULT IN INTEREST RATES THAT ARE LOWER THAN PURELY COMMERCIAL CREDIT THAT WOULD BE AVAILABLE TO THE GOT. CAN WASHINGTON SUGGEST ANY LANGUAGE WHICH WOULD BE TECHNICALLY AND LEGALLY SATISFACTORY FOR US AND STILL MEET THE TURKISH NEED HERE? COULD WE, FOR INSTANCE, SIMPLY ACCEPT LANGUAGE TO THE EFFECT THAT THESE LOANS WILL BE "GENERALLY LOWER" THAN WHAT WOULD BE AVAILABLE TO THE TURKISH GOVERNMENT THROUGH NORMAL US COMMERCIAL CHANNELS? IF NOT, PLEASE SUGGEST ALTERNATIVE LANGUAGE.

4. I AM SOMEWHAT CONCERNED BY THE LINE OF THOUGHT EXPRESSED IN PARA 3E REFTDF REGARDING THE LAST TWO SENTENCES OF THE THIRD PARAGRAPH OF ARTICLE XXI (2). I AM CONVINCED THAT WE CANNOT REACH AN AGREEMENT WITH THE TURKS IF WE ARE NOT PREPARED TO PROJECT A LEVEL OF APPROPRIATIONS EACH YEAR WHICH APPROXIMATES ONE-FIFTH OF THE TOTAL AGREED FIGURE IF IT IS A FIVE YEAR PACKAGE OR ONE-THIRD OF THE AGREEMENT IF IT IS A THREE YEAR PACKAGE. THE TURKS ARE SIMPLY NOT RPT NOT GOING TO OPEN THEMSELVES UP TO A SITUATION WHERE WE CAN PUT DOWN OUR MDTPNPPP A YEAR IN THE EARLY YEARS WITH THE THOUGHT THAT IN THE FINAL YEAR WE WOULD MAKE UP WHAT WOULD BE BY THEN A VERY LARGE ACCUMULATED SHORTFALL. ON THE OTHER HAND, THEY RECOGNIZE THAT WGN WILL NOT SIGN AN AGREEMENT WHICH PERMITS THEM TO DECLARE US NOT RPT NOT IN COMPLIANCE IF WE ARE NOT RPT NOT PRECISELY UP TO THE PRO RATED AMOUNT IN ANY GIVEN YEAR.

5. WHILE I WILL TRY TO SELL TRY TO SELL THE DEPARTMENT'S LANGUAGE "AS EVENLY AS POSSIBLE," I DOUBT VERY MUCH THAT THE TURKS WILL BUY IT BECAUSE IT IS SO OPEN ENDED, PARTICULARLY THE PHRASE "AS POSSIBLE" , THAT THEY WILL THINK WE COULD WELL BE ENVISAGING THE POSSIBILITY OF JUSTIFYING MAJOR CONGRESSIONAL APPROPRIATION SHORTFALLS IN ANY GIVEN YEAR. ON THE OTHER HAND, THEY HAVE TRIED TO MEET OUR PROBLEM BY PUTTING LANGUAGE INTO THE AGREEMENT WHICH ESTOPS THEM FROM DECLARING THAT WE ARE NOT

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RPT NOT COMPLYING WITH THE AGREEMENT IF OUR SHORTFALL IN ANY GIVEN YEAR IS NOT MORE THAN 25 PERCENT OF THE PRO RATED TOTAL. THIS WOULD SEEM AT FIRST GLANCE A FAIRLY REASONABLE EFFORT TO COMPROMISE THE TURKS' NEED FOR EQUAL ANNUAL SHARES WITH OUR PRACTICAL NEED FOR SOME FLEXIBILITY. I NOTE THAT REFTEL SUGGESTS THAT SOME FORMULA OF THIS KIND MIGHT BE ACCEPTABLE IF CAST IN MORE POSITIVE TERMS. WE WILL BE WORKING ON SUCH A FORMULA AT THIS END BUT WOULD APPRECIATE ANY THOUGHT RE SPECIFIC LANGUAGE

WHICH YOU CAN GIVE US#.

.ACOMBER

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